

REMARKS

In response to the above-identified Office Action (“Action”), Applicants traverse the Examiner’s rejection of the claims and seek reconsideration thereof. Claims 1, 2, 5 and 7-14 are pending in the present application. Claims 13-14 remain withdrawn. Claims 1, 2 and 7-12 are rejected and claim 5 is objected to. In this response, claim 1 is amended, claim 5 is cancelled and no claims are added.

I. Claim Amendments

Applicants respectfully submit herewith amendments to claim 1. Claim 1 is amended to incorporate the limitations of now cancelled claim 5.

Applicants respectfully submit the amendments do not add new matter and are supported by the specification. Accordingly, Applicants respectfully request consideration and entry of the amendments to claim 1.

II. Claim Rejections – 35 U.S.C. §103

In the outstanding Action, claims 1-2 and 7-12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,723,467 issued to Yoshida et al. (“Yoshida”). Applicants respectfully traverse the rejection for at least the following reasons.

To establish a *prima facie* case of obviousness, the Examiner must set forth “some articulated reasoning with some rational underpinning to support the conclusion of obviousness.” See KSR International Co. v. Teleflex Inc., 82 USPQ2d 1385, 1396 (2007). In combining prior art elements to render the claimed combination of elements obvious, the Examiner must show that the results would have been predictable to one of ordinary skill in the art. See Examination Guidelines for Determining Obviousness Under 35 U.S.C. 103, Section III(D), issued by the U.S. Patent and Trademark Office on October 10, 2007.

Applicants respectfully submit claim 1 is amended to incorporate the limitations of now cancelled claim 5. The Examiner indicates on page 4 of the Action that claim 5 would be

allowable if rewritten in independent form including all the limitations of the base claim. Since amended claim 1 is now rewritten in allowable form, claim 1 and its dependent claims 2 and 7-12 are in condition for allowance. Applicants therefore respectfully request withdrawal of the rejection of claims 1, 2 and 7-12 under 35 U.S.C. §103 in view of Yoshida and allowance of the claims at the Examiner's earliest convenience.

III. Allowable Subject Matter

Applicants respectfully acknowledge the Examiner's indication that claim 5 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. As previously discussed claim 1 is rewritten to include the limitations of claim 5 as proposed by the Examiner therefore the objection to claim 5 on this basis is moot.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending are now in condition for allowance and such action is earnestly solicited at the earliest possible date. If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666. Questions regarding this matter should be directed to the undersigned at (310) 207-3800.

Respectfully submitted,

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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being submitted electronically via EFS Web to the United States Patent and Trademark Office on April 9, 2008.

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